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DEPARTMENT OF EDUCATION
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**FISCAL YEAR 2013
CHILD AND ADULT CARE FOOD PROGRAM
OPERATIONAL MEMORANDUM #30**

TO: Child and Adult Care Food Program Institutions

FROM: Kyle L. Guerrant, Director *(KLG-6-13)*
Office of School Support Services

DATE: September 6, 2013

SUBJECT: **Determining Area Eligibility Based on School Data**

ACTION: **Note New Guidance on Determining Area Eligibility**

This memorandum provides guidance on using school data when determining area eligibility for purposes of the Child Nutrition Programs (CNP) in instances where school attendance areas may not accurately reflect the population of the school for which eligibility data is being used.

The Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), and the Afterschool Snack Program available through the National School Lunch Program (NSLP) may use NSLP free and reduced price meal data to determine site eligibility. However, when children in the public school system regularly attend schools outside a designated attendance area, the effective use of school data to determine site eligibility may be compromised. In such cases, the percentage of children eligible for free and reduced price meals in a school is not necessarily an accurate reflection of the children living in the attendance area of the school.

In some school systems, children are assigned to schools outside of their neighborhood in order to achieve racial and economic diversity in the schools. This is often referred to as "busing." In other school districts, not all children are assigned to a specific school, but instead may choose the school within the school district that they wish to attend. This practice is often referred to as "school choice." There are also charter and private schools that draw students from multiple areas. "Busing" and "school choice" policies, as well as other specialty cases, may result in school data that does not accurately reflect the economic conditions in the surrounding area.

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In school districts where busing or school choice policies are in place, if the site is located in the school area for data which is pulled, CACFP and SFSP sponsors may always rely on the NSLP free and reduced price meal data for that individual school. Additionally, where busing or school choice policies are in place, but school attendance areas are still defined, school and non-school site eligibility may be determined based on the enrollment or attendance data obtained for the school the children attend or the school the children would have attended (i.e., the neighborhood school where the children live), were it not for the school's busing or school choice policy.

CACFP and SFSP sponsors may determine a site to be area eligible under the second option described above only if the School Food Authority (SFA) is able to document the percentage of children eligible for free and reduced price meals at each school before and after students are reassigned. The same method of determining site eligibility must be used for all sites participating under a particular program sponsor to avoid duplicate counting.

If the school district does not have defined school attendance areas, the use of school data is not permitted for non-school sites. In this case, census data must be used to determine area eligibility for NSLP and SFSP. Please note that census data may be used as a first choice for determining area eligibility for NSLP and SFSP, rather than using the options described above, even if school attendance areas are defined.

Also note, however, that CACFP institutions participating in the At-Risk Afterschool Meal component of CACFP may not use census data for purposes of determining area eligibility. As previously stated, if the proposed site is a school, the free and reduced price meal data from the individual school site may be used to determine area eligibility. For non-school sites, however, if the school district does not have defined school attendance areas, the SFA should contact the Michigan Department of Education for assistance.

If you have any additional questions concerning this memorandum, contact CACFP at 517-373-7391 or go to <http://www.fns.usda.gov/cnd/Care/Regs-Policy/PolicyMemoranda.htm> to view the federal guidance.